

Remarks

Claims 1-23 are pending in the present application. Claims 1-23 are rejected. It is respectfully submitted that the pending claims define allowable subject matter.

Claims 5, 14 and 19 are objected to under 35 CFR §1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claims 5, 14, 19 as suggested in the Office Action. Accordingly, Applicants submit that the objection has been overcome and should be withdrawn.

Claims 1-4, 10 and 13-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Renault (FR 2741438). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Konagaya (U.S. Patent 6,985,217). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Edwards et al. (U.S. Patent 4,704,603). Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Shepard (U.S. Patent 6,751,342) and Thompson (U.S. Patent Application Publication 2002/0122583). Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Goodman (U.S. Patent 4,731,931). Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Goodman (U.S. Patent 4,731,931), further in view of Engel et al. (U.S. Patent 5,371,690). Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Fazzio et al. (U.S. Patent 6,825,856). Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and Thompson (U.S. Patent Application Publication 2002/0122583). Claims 18, 21 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and McKendrick (U.S. Patent 5,208,995). Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR 2741438) and McKendrick (U.S. Patent 5,208,995), further in view of Goodman (U.S. Patent 4,731,931). Claims 20 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Renault (FR

2741438), McKendrick (U.S. Patent 5,208,995) and Goodman (U.S. Patent 4,731,931), and further in view of Engel et al. (U.S. Patent 5,371,690). Applicants respectfully traverse these rejections for at least the reasons set forth hereafter.

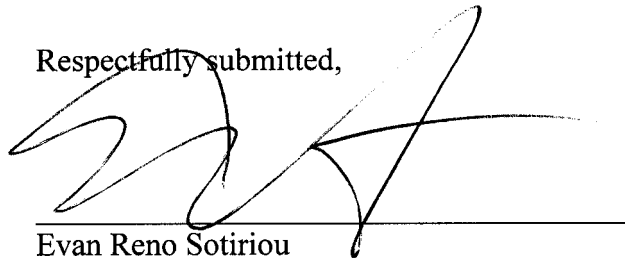
Each of the claims has been rejected at least based in part based on the Renault reference. Independent claims 1 and 13 have been rejected solely based on Renault and independent claim 18 has been rejected based on Renault and McKendrick. Renault discloses a camera providing absolute gray value detection. Independent claims 1, 13 and 18 have been amended to recite that the structure is determined based on “a second derivative of the brightness profile of the gray values.” The Renault reference does not describe using the second derivative, but instead uses absolute gray value detection. This absolute gray value detection in Renault is significantly different than using the “second derivate of the brightness profile of the gray values” as recited in the independent claims as the absolute gray value detection is not a relative direction of gray values, for example, along a caliper. Moreover, the device of Renault uses a camera without caliper detection. The McKendrick reference fails to make up for these deficiencies in the Renault reference. Accordingly, Applicants submit that independent claims 1, 13 and 18 are allowable over the cited prior art.

Dependent claims 2-12, 14-17 and 19-23 recite additional features not anticipated or rendered obvious by the cited prior art. Further, the additional cited prior art fails to make up for the deficiencies with respect to the rejection of independent claims 1, 13 and 18 based on the Renault reference. Accordingly, dependent claims 2-12, 14-17 and 19-23, which each depend from an independent claim, are allowable based at least on the dependency of these dependent claims from the independent claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the prior art neither anticipates nor renders obvious the claimed invention and the pending claims in this application are believed to be in condition for allowance. Reconsideration and favorable

action is respectfully solicited. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Evan Reno Sotiriou', is written over a horizontal line.

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Evan Reno Sotiriou
Registration No. 46,247
THE SMALL PATENT LAW GROUP LLP
611 Olive Street, Suite 1611
St. Louis, MO 63101
314-584-4082